

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MALIK S. HOWARD,

Defendant.

Case No. 23-CR-72-3-JPS

ORDER

On June 21, 2023, the Grand Jury returned an Indictment charging Defendant Malik S. Howard (“Defendant”) with violating 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), 846, and 18 U.S.C. § 2(a) ECF No. 1. On December 11, 2023, the Government filed an Information charging Defendant with violating 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), 846 and 18 U.S.C. § 2(a). ECF No. 53. That same day, the parties filed a plea agreement, indicating that Defendant has agreed to plead guilty to the Information. ECF No. 54.

The parties appeared before Magistrate Judge Nancy Joseph on January 5, 2024, to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. ECF No. 60. Defendant entered a plea of guilty as to the single count charged in the Indictment. *Id.* After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Judge Joseph determined that the guilty plea was knowing and voluntary, and that the offense charged was supported by an independent factual basis containing each of the essential elements of the offense. *Id.*; ECF No. 61.

On January 5, 2024, Magistrate Judge Joseph filed a Report and Recommendation with this Court, recommending that: (1) Defendant’s plea

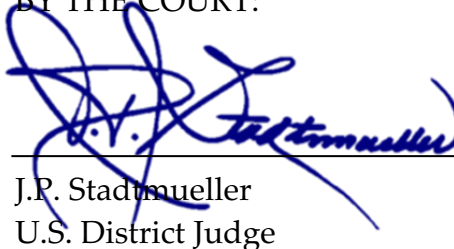
of guilty be accepted; (2) a presentence investigation report be prepared; and (3) Defendant be adjudicated guilty and have a sentence imposed accordingly. ECF No. 61. Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. *Id.* To date, no party has filed such an objection. The Court has considered Magistrate Judge Joseph's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge Nancy Joseph's Report and Recommendation, ECF No. 61, be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 24th day of January, 2024.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge